

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:16-00143-01-CR-DGK
)
SHANNON R. THOMAS,)
)
Defendant.)

ORDER AFFIRMING MAGISTRATE'S REPORT AND RECOMMENDATION

On November 7, 2017, counsel for Defendant filed a motion pursuant to 18 U.S.C. § 4241 for a determination of the mental competency of the Defendant to stand trial. That motion was granted and, prior to holding a hearing to determine the mental competency of the Defendant, the Court entered its Order pursuant to 18 U.S.C. § 4241(b) directing that a psychological or psychiatric examination of the Defendant be conducted and that a psychological or psychiatric report be filed with the Court pursuant to 18 U.S.C. § 4247(b) and (c).

A competency hearing was held before Magistrate Judge John T. Maughmer on March 14, 2018. At the hearing, the parties stipulated that the Court could consider the forensic psychological report from Dr. David Szyhowski, licensed clinical psychologist, which concluded that Defendant is competent to understand the nature and consequences of the proceedings against him and to assist properly in his defense. On March 14, 2018, Judge Maughmer entered a "Report and Recommendation" that Defendant be declared competent to stand trial (Doc. 78). No objection was filed by either party.

After an independent, de novo review of the record and applicable law, the Court
ADOPTS the Report and Recommendation of Judge Maughmer in its entirety, and finds

that Defendant is competent to stand trial. It is further
ORDERED that, pursuant to 18 U.S.C. §§ 3161(h)(1)(A) and (h)(4), the time between
March 14, 2018, and the date of this order is excluded in computing the time within which the trial
of this criminal action must commence. It is further
ORDERED that this case is placed on the joint criminal jury trial docket commencing on
June 11, 2018.

IT IS SO ORDERED.

Date: April 3, 2018

/s/ Greg Kays
GREG KAYS, CHIEF JUDGE
UNITED STATES DISTRICT COURT